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OLIFF & BERRIDGE, PLC
P.O. BOX 19928
ALEXANDRIA, VA 22320

MAR 25 2005

In re Application of:
Masao MURADE
Serial No.: 09/809,207
Filed: March 16, 2001
For: Docket No. 108092

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DECISION ON PETITION

This is a decision on the petition under 37 C.F.R. § 1.181, filed May 14, 2004, to withdraw the holding of abandonment of the above-identified application and to re-mail the Notice of Allowance and Fee(s) Due action of December 18, 2004.

The petition is GRANTED.

A Notice of Allowance and Fee(s) Due action was mailed on December 18, 2003, setting forth a statutory period of three months to pay the issue fee. The application became abandoned for failure to pay the issue fee.

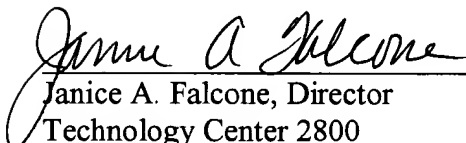
Petitioner asserts that the Notice of Allowance and Fee(s) Due action mailed on December 18, 2003 was not received. To support this assertion, petitioner includes a copy of the docket records for the Law Firm of Oliff & Berridge, PLC listing all the responses in their office with a due date of March 18, 2004, had the December 18, 2003 Notice of Allowance and Fee(s) Due action been received it would have entered into the docket records showing a base date of December 18, 2003 and a due date of March 18, 2004.

A review of the written record indicates that the Notice of Allowance and Fee(s) Due action was returned as undelivered mail by the US Postal Service on December 30, 2003. The record does not indicate that the Notice of Allowance and Fee(s) Due action was re-mailed pursuant to MPEP 707.13.

For the above stated reasons, the Notice of Abandonment is hereby vacated and the holding of abandonment is withdrawn. The Notice of Allowance and Fee(s) Due action will be re-mailed and period for response will be reset to run three months from the date it is re-mailed.

The delay in re-mailing the Notice of Allowance and Fee(s) Due action and any inconvenience it may have caused the petitioner is regretted.

Questions regarding this decision should be directed to Jose' G. Dees at (571) 272-1569.



Janice A. Falcone, Director
Technology Center 2800
Semiconductors, Electrical and Optical
Systems and Components